



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,187	10/31/2000	Avraham Leff	YOR920000470US1	7447

7590 11/03/2004

William E Lewis
Ryan Mason & Lewis LLP
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER

WON, MICHAEL YOUNG

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/703,187	Applicant(s) LEFF ET AL.	
	Examiner Michael Y Won	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-31 have been re-examined and are pending with this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 9-15, 20-24, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Gish (US 5,768,510 A).

INDEPENDENT:

As per claims 1 and 30, Gish teaches a method and an article of manufacture comprising a machine-readable medium containing one or more programs which when executed implements the method, for use in a client/server environment (see col.5, lines 24-27) of generating a user-interactive application that is dynamically partitionable when deployed in the client/server environment (see col.4, lines 51-55 and col.16, lines 10-18), the method and article of manufacture comprising the steps of: specifying that access to a model (see col.21, lines 52-54) associated with the user-interactive

application (see col.10, lines 37-41 and col.24, lines 7-13) be performed through an application programming interface (see col.2, lines 7-17; col.15, lines 45-51; and col.18, lines 44-46) permitting location-independent (see col.16, line 67) allocation and access of model storage (see col.21, lines 52-58) on the client and the server (see Fig.22-Fig.25; col.16, lines 54-67; and col.26, lines 60-61); and specifying that access to view generating logic (see col.21, lines 52-54) associated with the user-interactive application (see Fig.20 and col.24, lines 57-62) be performed through an application programming interface (see col.2, lines 7-17; col.15, lines 45-51; and col.18, lines 44-46) permitting location-independent (see col.16, line 67) allocation and access of view elements (see col.21, lines 52-58) on the client and the server (see col.16, lines 54-67 and col.24, lines 57-62).

As per claims 11 and 20, Gish teaches of an apparatus for deploying a user-interactive application in a client/server environment, the apparatus comprising: a server and a client device (see col.16, lines 10-18) having at least one processor operative to execute at least a portion of the user-interactive application (see col.16, line 67 to col.17, line3), wherein the user-interactive application: (i) specifies that access to a model associated with the user-interactive application be performed through an application programming interface permitting location-independent allocation and access of model storage on a client device and the server (see claim 1 rejection above); and (ii) specifies that access to view generating logic associated with the user-interactive application be performed through an application programming interface

permitting location-independent allocation and access of view components on the client device and the server (see claim 1 rejection above).

As per claim 29, Gish teaches of a network-based system: a server having at least one processor (see col.7, lines 10-14) responsive to a user-interactive application (see abstract); and a client device having at least one processor (see col.7, lines 10-14) responsive to the user-interactive application (see abstract); wherein the user-interactive application: (i) specifies that access to a model associated with the user-interactive application be performed through an application programming interface permitting location-independent allocation and access of model storage on the client device and the server (see claim 1 rejection above); and (ii) specifies that access to view generating logic associated with the user-interactive application be performed through an application programming interface permitting location-independent allocation and access of view components on the client device and the server (see claim 1 rejection above).

As per claim 31, Gish teaches a method for use in a computing device environment of generating a user-interactive application that is dynamically partitionable when deployed (see col.4, lines 51-55 and col.16, lines 10-18), the method comprising the steps of: providing an application programming interface (see col.15, lines 45-51 and col.18, lines 44-46) such that access to a model associated with the user-interactive application is performed through the application programming interface, and wherein the application programming interface permits location-independent allocation and access of model storage in accordance with execution of the user-interactive application (see

Art Unit: 2155

claim 1 rejection above); and providing an application programming interface (see col.15, lines 45-51 and col.18, lines 44-46) such that access to view generating logic associated with the user-interactive application is performed through the application programming interface, and wherein the application programming interface permits location-independent allocation and access of view components in accordance with execution of the user-interactive application (see claim 1 rejection above).

DEPENDENT:

As per claim 2, Gish further teaches wherein at least one of the application programming interface associated with the model and the application programming interface associated with the view generating logic comprises a process to create one or more elements (see col.7, lines 53-60; col.8, lines 6-10; col.9, lines 7-12; and implicit: col.9, lines 19-20 and col.10, lines 3-5).

As per claim 3, Gish further teaches wherein at least one of the application programming interface associated with the model and the application programming interface associated with the view generating logic comprises a process to query one or more elements (see col.29, lines 23-28).

As per claim 4, Gish further teaches wherein at least one of the application programming interface associated with the model and the application programming interface associated with the view generating logic comprises a process to delete one or more elements (see col.7, lines 53-60; col.8, lines 10-12; and implicit: col.9, lines 19-20 and col.10, lines 3-5).

As per claim 5, Gish further teaches wherein at least one of the application programming interface associated with the model and the application programming interface associated with the view generating logic comprises a process to read at least one of a property and a state associated with one or more elements (see col.36, lines 30-35).

As per claim 6, Gish further teaches wherein at least one of the application programming interface associated with the model and the application programming interface associated with the view generating logic comprises a process to update at least one of a property and a state associated with one or more elements (see col.35, lines 23-28).

As per claims 9 and 10, Gish further teaches wherein the application programming interface associated with the model and the view generating logic has a structured lifecycle associated therewith (see col.19, lines 43-48).

As per claims 12 and 21, Gish further teaches wherein the model and a controller logic associated with the user-interactive application execute on the server (see col.17, lines 30-33; col.18, lines 11-13; and col.23, lines 17-21) and at least one view generated by the view generating logic is rendered on the client device (see col.11, lines 38-41 and col.13, lines 20-28).

As per claims 13 and 22, Gish further teaches wherein a controller logic associated with the user-interactive application executes on the client device (see col.13, lines 20-28).

As per claims 14 and 23, Gish further teaches wherein a controller logic associated with the user-interactive application executes on the server (see col.13, lines 33-38).

As per claims 15 and 24, Gish further teaches wherein the client device comprises a web browser (see col.17, lines 8-10).

As per claims 19 and 28, Gish further teaches wherein the view generating logic renders a view in Hyper Text Markup Language (see col.14, lines 46-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gish (US 5,768,510 A) in view of Hitchcock et al. (US 6345278 B1).

As per claims 7 and 8, Gish does not explicitly teaches wherein the one or more model elements and one or more view elements associated with the user-interactive application are individually identifiable by respective associated keys. Hitchcock teaches wherein the one or more model elements and one or more view elements associated with the user-interactive application are individually identifiable by respective associated keys (see col.17, lines 51-54). It would have been obvious to a person of

Art Unit: 2155

ordinary skill in the art at the time the invention was made to employ the teachings of Hitchcock within the system of Gish by implementing keys to identify elements associated with user-interactive applications within the client/server environment of generating a user-interactive application method because Gish teaches that the view components are mapped between the model data and the message data therefore one of ordinary skill in the art would employ the teachings of Hitchcock which is a known means of associating objects to devices and associated application programs, as well as other objects.

4. Claims 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gish (US 5,768,510 A) in view of Banthia (US 5922044 A). Gish does not explicitly teach wherein the client device comprises a personal digital assistant. Banthia teaches wherein the client device comprises a personal digital assistant (see col.1, lines 31-42). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Banthia within the system of Gish by implementing client devices comprising a personal digital assistant within the client/server environment of generating a user-interactive application method because Gish teaches of computers (see col.7, lines 7-33) wherein a PDA clearly is known in the art to encompass all the components and/or interact with all the components described. Therefore the description of a "computer" by Gish does not exclude a PDA.

5. Claims 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gish (US 5,768,510 A) in view of Yamamoto et al. (US 6275790 B1).

As per claims 17 and 26, Gish further teaches wherein the view components encapsulate (see col.8, lines 13-16 and col.10, lines 34-37), but Gish does not explicitly teach of Java Swing components. Yamamoto teaches of Java Swing components (see col.7, lines 42-44). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Yamamoto within the system of Gish by implementing Java Swing within the client/server environment of generating a user-interactive application method because Gish teaches that JAVA, C, and C++ are the preferred languages for the embodiment to implement object-oriented programming (see col.10, lines 12-14).

As per claims 18 and 27, Gish teaches wherein elements associated with the model encapsulates (see col.8, lines 13-16 and col.10, lines 34-37), but he does not explicitly teach of EntityBeans of an Enterprise JavaBeans architecture. Yamamoto teaches of EntityBeans of an Enterprise JavaBeans architecture (see col.2, line 65 to col.3, line3 and col.5, lines 62-65). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Yamamoto within the system of Gish by implementing EntityBeans of an Enterprise JavaBeans architecture within the client/server environment of generating a user-interactive application method because Gish teaches that JAVA, C, and C++ are the preferred languages for the embodiment to implement object-oriented programming (see col.10, lines 12-14).

Response to Arguments

6. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

7. The new reference, Gish (US 5,768,510 A), clearly teach all the functional limitations of claims 1-6, 9-15, 19-24 and 28-31.

8. Hitchcock et al. (US 6345278 B1), Banthia (US 5922044 A) and Yamamoto et al. (US 6275790 B1) have been added to teach the limitations of claims 7 & 8, 16 & 25, and 17-18 & 26-27, respectively.

Conclusion

9. Claims 1-31 have been rejected and are pending with this action

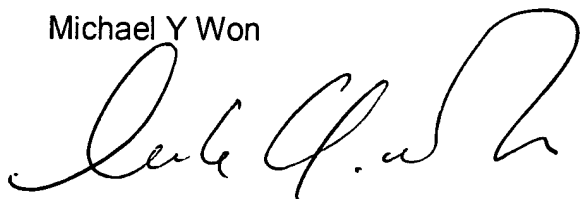
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y Won whose telephone number is (571) 272-3993. The examiner can normally be reached on M-Th: 6AM-4PM.

Art Unit: 2155

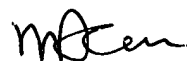
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Y Won



October 28, 2004



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER